

REMARKS

This application has been reviewed in light of the Office Action dated September 10, 2003. Claims 1, 3, 4, 41, and 54-58 are presented for examination, and have been amended to define more clearly what Applicants regard as their invention. Claim 2 has been canceled, without prejudice or disclaimer of the subject matter. Claims 1, 41, and 58 are in independent form. Favorable reconsideration is requested.

With regards to the Examiner's comments concerning the Information Disclosure Statement (IDS) filed November 13, 2002, Applicants respectfully point out that the form PTO-1449 attached to the outstanding Office Action is from the IDS filed on October 29, 2002 and not from the November 13, 2002 submission. The October 29, 2002 IDS contained a typographical error, incorrectly listing Japanese Patent Yasuo "JP 11-707378". The November 13, 2002 submission was a Submission Of Corrected PTO-1449 Form, to correct the typographical error in the PTO-1449 Form submitted with the October 29, 2002 Information Disclosure Statement, and that correctly listed Japanese Patent --JP 11-070378--. Copies of the October 29, 2002, and the November 13, 2002 submissions are enclosed. Accordingly, it is requested that the corrected entry, namely Japanese Patent Yasuo JP 11-070378 on the PTO-1449 Form from the November 13, 2002 submission be initialed and returned.

Claims 1-4, 41, and 54-58 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

First, cancellation of Claim 2 renders its rejection moot.

The remaining claims have been carefully reviewed and amended as deemed necessary to ensure that they conform fully to the requirements of Section 112, second paragraph, with special attention to the points raised in paragraph 7 of the Office Action. It is

believed that these rejections have been obviated, and their withdrawal is therefore respectfully requested.

As to the Examiner's comments in the Response to Arguments section regarding the 35 U.S.C. § 101 rejection, Applicants have reviewed and amended the claims as deemed necessary to still more clearly ensure they conform fully to the requirements of Section 101. The Examiner is correct in that all remaining claims are directed to a method or process.

Claims 1-4, 41, and 54-58 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,085,172 (*Junger*). Claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Junger*. Cancellation of Claim 2 renders its rejection moot.

As is described more extensively in the present application, toner and other consumable office supplies are manufactured and used on a very large scale. Because some portions of these products (for particular example, the containers in which toner is supplied) are themselves made of recyclable materials, it is desirable for a user to be able to return the container after the toner has been used up. Such returns, however, are typically conducted when the occasion arises, which sometimes involves an inefficient use of both the user's and the manufacturer's (or dealer's) resources. The present invention is intended to provide a more efficient way for a user to return such recyclables.

The aspect of the present invention set forth in Claim 1 is a processing method of ordering and returning consumables, being performed by an information processing apparatus capable of communicating with a terminal via a communication network. The method includes transmitting input screens containing data fields to be displayed on the terminal, allowing a user to input data into the data fields to order a consumable, and to

specify the return of a used consumable. The method also includes transmitting display data, which includes a return rate indicating a ratio of quantities of used consumables returned by the user to consumables shipped to the user, to the terminal for display.

Among other notable features of Claim 1 is transmitting display data, which includes a return rate indicating a ratio of quantities of used consumables returned by the user to consumables shipped to the user, to the terminal for display. By virtue of this feature, a user will actively return used consumables, thus helping protect the environment.

Junger relates to a technique which permits a manufacturer or distributor of commercial products to quickly and inexpensively handle product returns from a retailer while ensuring that the returned product satisfies applicable criteria for return. In the *Junger* technique, a computer system at a regional product return center scans a returned product for identifying information, accesses a manufacturer return approval computer system through the Internet or the like, and then submits the identifying information to the manufacturer for return approval. The manufacturer computer system utilizes the identifying information to access an electronic registration database to determine whether the returned product satisfies applicable return criteria. If the returned product satisfies the applicable return criteria, the *Junger* system may provide the dollar value of the product that is authorized for return. In the *Junger* system, products that are not used are allowed to be returned from the retailer.

In contrast, the present invention as defined by Claim 1 relates to the return of consumables that have been used. Further, nothing has been found in *Junger* that would teach or suggest transmitting display data, which includes a return rate indicating a ratio of quantities of used consumables returned by the user to consumables shipped to the user, to a terminal for display, as recited in Claim 1.

For at least the above reasons, Applicants submit that Claim 1 is clearly allowable over *Junger*.

The aspect of the present invention set forth in Claim 41 is a processing method of ordering and returning consumables, being performed by an information processing apparatus capable of communicating with a terminal via a communication network. The method includes receiving user log-in information from the terminal, and reading status information which includes history information regarding a used consumable returned by a user from a database in accordance with the user log-in information. The method also includes transmitting data, which includes ordering information of a consumable and incentive point information which is based on the history information regarding the used consumable, to the terminal for display.

Among other notable features of Claim 41 is transmitting data which includes incentive point information, which is based on the history information regarding the used consumable, to the terminal for display.

Nothing has been found in *Junger* that would teach or suggest transmitting data which includes incentive point information, which is based on the history information regarding the used consumable, to the terminal for display, as recited in Claim 1. *Junger* merely provides a dollar value of a product that is authorized for return, when a RA has been submitted and approved (Column 8, lines 34-36).

Accordingly, for at least the above reason, Applicants submit that Claim 41 is clearly allowable over *Junger*.

Independent Claim 58 includes a similar feature of transmitting data which includes incentive point information, which is based on the history information regarding the used consumable, to the terminal for display, as discussed above in connection with Claim 41.

Accordingly, Claim 58 is believed patentable for at least the same reason as discussed above in connection with Claim 41.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donald A. Cella", written over a horizontal line.

Attorney for Applicants

Registration No. 26,718

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
NYMAIN394580